

**25598. Adulteration and misbranding of butter. U. S. v. Urgel F. Asselin, trading as Asselin Creamery Co. Plea of nolo contendere. Fine, \$50. (F. & D. no. 36040. Sample no. 41536-B.)**

This case was based upon a shipment of butter that contained less than 80 percent of milk fat.

On December 10, 1935, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Urgel F. Asselin, trading as Asselin Creamery Co., Norway, Mich., alleging shipment in violation of the Food and Drugs Act as amended, on or about July 23, 1935, from Norway, Mich., to Niagara, Wis., of quantities of alleged butter that was adulterated and misbranded. The article was labeled in part: (Package) "Asselin's Lily Brand Butter \* \* \* Cloverland's Finest One Pound Net Fine Creamery Butter Asselin's butter is made only from rich carefully selected cream in Upper Michigan's finest dairy food plant. Asselin Creamery Co. 'Where Cleanliness is Paramount.'"

Adulteration of the product was charged under the allegations that it contained less than 80 percent by weight of milk fat; and that it was a substance that had been substituted for butter, which the product purported to be.

Misbranding of the product was charged (a) under the allegations that there appeared on the packages the statement, to wit, "butter", that the product contained less than 80 percent by weight of milk fat, and that the said statement was false and misleading; and (b) under the allegation that the aforesaid statement was borne on the packages so as to deceive and mislead the purchaser.

On January 6, 1936, a plea of nolo contendere having been entered, a fine of \$50 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25599. Adulteration of tomato puree. U. S. v. Niagara County Preserving Corporation. Plea of guilty. Fine, \$100. (F. & D. no. 36042. Sample no. 27724-B.)**

This product contained a decomposed vegetable substance.

On November 18, 1935, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Niagara County Preserving Corporation, Wilson, N. Y., alleging shipment by it in violation of the Food and Drugs Act as amended, on or about October 18, 1934, from Wilson, N. Y., into the District of Columbia of quantities of tomato puree that was adulterated. The article was labeled in part: (Can) "Lyric Brand \* \* \* Tomato Puree."

Adulteration of the product was charged under the allegation that it consisted in part of a decomposed vegetable substance.

On March 10, 1936, a plea of guilty having been entered, a fine of \$100 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25600. Adulteration and misbranding of meat scrap. U. S. v. Mutual Rendering Co., a corporation. Plea of nolo contendere. Fine, \$12.50. (F. & D. no. 36049. Sample no. 8342-B.)**

This case was based upon a shipment of meat scrap that contained an excessive amount of bone, and its label bore erroneous statements concerning its ingredients.

On December 20, 1935, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Mutual Rendering Co., a corporation, Philadelphia, Pa., alleging shipment in violation of the Food and Drugs Act as amended, on or about May 3, 1935, from Philadelphia, Pa., to Denton, Md., of quantities of meat scrap that was adulterated and misbranded. The article was labeled in part: (Sack) "100 lbs. Net. 55% Mureco Meat Scrap Guaranteed Analysis Protein 55% min. Fat 6% Min. Fibre 2% Max. Total Phos. Acid 10% Max. Manufactured by Mutual Rendering Co., Inc., Phila., Pa."

Adulteration of the product was charged (a) under the allegations that it purported to be meat scrap; that a quantity of bone over and above the amount contained in meat scrap had been mixed and packed with the product so as to reduce, lower, and injuriously affect the quality and strength of meat scrap which the said article purported to be; (b) under the allegation that a substance containing bone in excess of the permitted quantity and containing less protein than 55 percent, more fiber than 2 percent, and more phosphoric acid